

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:22-cv-00182

**Steven Louis Massey, Jr.,**  
*Plaintiff,*

v.

**Elliot Townsend,**  
*Defendant.*

**ORDER**

Plaintiff Steven Louis Massey, Jr., proceeding pro se and *in forma pauperis*, filed the above-styled and numbered civil-rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell, who issued a report and recommendation (Doc. 39) concluding that plaintiff's motion for preliminary injunction (Doc. 36) should be denied for failing to meet the necessary prerequisites for a preliminary injunction under Fed. R. Civ. P. 65. *See Libertarian Party of Texas v. Fainter*, 741 F.2d 728, 729 (5th Cir. 1984).

Plaintiff objected to the report. Doc. 41. The court reviews the objected-to portions of a magistrate judge's report and recommendation de novo. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). Plaintiff's objections fail to show that the report errs in any respect. Specifically, plaintiff does not show that the report's conclusion is incorrect respecting his failure to meet his burden to show entitlement to a preliminary injunction.

Having reviewed the magistrate judge's report de novo and being satisfied that it contains no error, the court overrules plaintiff's objections and accepts the report's findings and recommendation. For the reasons stated in the report, plaintiff's motion for preliminary injunction (Doc. 36) is denied.

*So ordered by the court on January 12, 2023.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge